

PLANNING COMMISSION MINUTES

Gardner, Kansas

Monday, November 13, 2006

The Planning Commission met in regular session on the above date at the Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

I. Call to Order

Chairman Stephen Koranda called the meeting to order at 7:03 p.m. Commissioners present: Paul Kilgore, Greg Godwin, Eileen Mertz, Eric Schultz, Jason Burnett, and Dan Popp. Also present: Community Development Director Fred Sherman; Planner Erik Pollom; applicant Dave Rhodes of RKF Investments, L.L.C.; and three citizens.

II. Approval of Minutes

The minutes of the October 23, 2006, meeting, were approved by unanimous consent.

III. Consent Items

Chairman Koranda requested that Item No. 8, FDP-06-05, be removed from the Consent Agenda and placed on the regular agenda.

1. FP-06-19

Consider a Final Plat for Cottage Park West, 12th Plat, a .37 acre multi-family residential development located at 840–846 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .37 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 840 to 846 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 12th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 12th Plat (FP-06-19), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

2. FP-06-20

Consider a Final Plat for Cottage Park West, 13th Plat, a .31 acre multi-family residential development located at 834–838 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .31 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 834 to 838 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 13th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 13th Plat (FP-06-20), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

3. FP-06-21

Consider a Final Plat for Cottage Park West, 14th Plat, a .37 acre multi-family residential development located at 800–810 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .37 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 800 to 810 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 14th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 14th Plat (FP-06-21), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

4. FP-06-22

Consider a Final Plat for Cottage Park West, 15th Plat, a .26 acre multi-family residential development located at 812–820 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .26 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 812 to 820 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 15th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 15th Plat (FP-06-22), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

5. FP-06-23

Consider a Final Plat for Cottage Park West, 16th Plat, a .46 acre multi-family residential development located at 822–832 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .46 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 822 to 832 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 16th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 16th Plat (FP-06-23), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

6. FP-06-24

Consider a Final Plat for Cottage Park West, 17th Plat, a .32 acre multi-family residential development located at 853–859 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .32 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 853 to 859 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 17th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 17th Plat (FP-06-24), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

7. FP-06-25

Consider a Final Plat for Cottage Park West, 18th Plat, a .28 acre multi-family residential development located at 801–809 Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is Cottage Creek Properties, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately .28 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 801 to 809 Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 18th Plat. Approval for this replat is requested to divide the individual units of the existing multi-family building into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 18th Plat (FP-06-25), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

Motion Schultz, second Mertz, to forward Consent Agenda Items No. 1, Final Plat for Cottage Park West, 12th Plat (FP-06-19); No. 2, Final Plat for Cottage Park West, 13th Plat (FP-06-20); No. 3, Final Plat for Cottage Park West, 14th Plat (FP-06-21); No. 4, Final Plat for Cottage Park West, 15th Plat (FP-06-22); No. 5, Final Plat for Cottage Park West, 16th Plat (FP-06-23); No. 6, Final Plat for Cottage Park West, 17th Plat (FP-06-24); and No. 7, Final Plat for Cottage Park West, 18th Plat (FP-06-25); to the City Council with recommendations for acceptance of the easements and rights-of-way, by unanimous consent.

Motion to Forward Carried: 7 to 0

Aye

IV. Agenda Items

(8.) FDP-06-05

Consider a Final Development Plan for Bethel Estates of Gardner, Phase II, the 48 unit second phase of a multi-family residential development located at 335 W. Madison Street. The application is filed by RKF Investments, L.L.C., with engineering services provided by Kaw Valley Engineering, Inc.

1. **APPLICANT:** The applicant is RKF Investments, L.L.C.; with engineering services provided by Kaw Valley Engineering, Inc.
2. **REQUESTED ACTION:** The applicant requests approval of a final development plan for a multi-family residential development.
3. **LOCATION:** The property is located at 335 W. Madison Street.

4. **EXISTING ZONING:** This property is currently zoned RP-3, Planned Garden Apartment District (Z-04-13).
5. **ANALYSIS:** The applicant requests approval of a final development plan for the next phase of Bethel Estates of Gardner. The plan includes 8 six-unit buildings for a total of 48 new multi-family units.
Preliminary Development Plan
The submitted final development plan adheres to the approved preliminary development plan (PDP-04-11). Two minor adjustments include the addition of some covered parking spaces and a repositioning of the Community Center building at the northwest corner of the plan. In the submitted final development plan, the community building and the parking lot have changed places to put the parking toward the interior of the development, facing the private drive.
6-plex Design
The six-plexes are shown as being identical to the existing buildings that lie immediately to the west. They feature a six-unit "pinwheel" design with pitched composite shingle roofs, and an even mixture of lap siding and brick on all four elevations.
Community Building Design
The community building is designed to match the nearby six-plexes, incorporating a pitched roof with composite shingles, and a mixture of brick and lap siding. The side and rear elevations are entirely covered with lap siding. Given the visibility of this building from Madison Street, the rear elevation and side elevations of this building could incorporate some brick elements, similar to the brick used on all of the residential units.
6. **STAFF RECOMMENDATION:** Staff recommends approval of the final development plan for Bethel Estates of Gardner, Phase II (FDP-06-05), subject to the following conditions:
 - a) The development shall be in accordance with Exhibit "A" (Final Development Plan), Exhibit "B" (Building Elevations), and Exhibit "C" (Landscape Plan) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.

Chairman Koranda stated that landscaping should be placed between the community center parking lot and the Greenway Corridor walking trail on the north side of the property. Applicant Dave Rhodes of RKF Investments, L.L.C., agreed to place landscaping between the parking lot and the walking trail.

Commissioner Godwin and Director Sherman briefly discussed landscaping for the proposed development.

Motion Schultz, second Mertz, to approve the Final Development Plan for Bethel Estates of Gardner, Phase II (FDP-06-05), subject to staff recommendations and one additional condition of approval:

- a) The development shall be in accordance with Exhibit "A" (Final Development Plan), Exhibit "B" (Building Elevations), and Exhibit "C" (Landscape Plan) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b) Appropriate landscaping shall be placed along the north side of the community center parking lot to screen the lot from the Greenway Corridor walking trail.

Motion to Approved Carried: 7 to 0

Aye

1. PP-06-02

Consider a Preliminary Plat for Auburn Hills, a 152.7 acre single family residential development located northwest of the 167th Street and Gardner Road intersection. The application is filed by Timber Creek Land Company; with engineering services provided by Allenbrand-Drews & Associates, Inc.

1. **APPLICANT:** The applicant is Timber Creek Land Company; with engineering services provided by Allenbrand-Drews & Associates, Inc.
2. **REQUESTED ACTION:** The applicant requests preliminary plat approval for a 352 lot single family residential development on 152.7 acres.

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3. **LOCATION:** The subject property is located on the northwest corner of the 167th Street and Gardner Road intersection.
4. **EXISTING ZONING:** The property is zoned R-1, Single Family Residential District, pending approval of Z-06-10 by the City Council.
5. **ANALYSIS OF THE APPLICATION:** The applicant requests preliminary plat approval for Auburn Hills, a 352 lot single family residential development. Staff has identified several issues that should be resolved before this preliminary plat is considered acceptable, including:
 - A street layout that fails to show a positive connection to the streets approved with the preliminary development plan for Granite Springs to the west. The one street stub shown aligns with a cul-de-sac that is planned immediately to the west. A connection could be made at this point, but Jabez Development (the owner of the adjacent property) has not been approached about the possibility of amending their approved plan to accommodate this alignment. The Granite Springs plan does show a stubbed connection to this preliminary plat further to the south. The Auburn Hills preliminary plat does not show this connection.
 - Streets that connect to the property to the north, also submitted for approval of the Preliminary Plat for Park Place Estates (PP-06-03), which were designed with the assumption that they would connect to an east-west collector running through that property. Such a collector is not shown on the submitted preliminary plat for the Park Place Estates property. The desirability of this many connections to the Park Place Estates property depends upon the existence of that collector street.
 - A property arrangement that reserves space in the southeast corner for a commercial development that has not yet received zoning approval. Should the commercial zoning request for this property fail, it is possible that the desired layout of single family lots in this area would change. Approval or failure of the zoning for the commercial portion of this plat also greatly affects the accuracy of the traffic study, which would need to be revised and reviewed. At the October 23, 2006, meeting, the Planning Commission voted unanimously to send this requested commercial zoning (Z-06-11) to the City Council with a recommendation for denial.
 - A tract reserved for a possible elementary school. The school district staff have not yet shown definitive interest in this site. Should the school tract revert to single family homes, engineering would need to reevaluate the property for storm water impacts and sanitary sewer service.
 - Numerous engineering concerns that the applicant has not addressed, including several unresolved issues over sanitary sewer and storm water detention.
 - Insufficient time for public works staff to review the most recent revision for necessary easements.Staff has worked through two versions of this preliminary plat over the last four weeks, and is still working with the applicant toward a resolution of the above mentioned issues. This requires coordination with property owners of both Granite Springs to the west and the recently submitted Park Place Estates to the north. The applicant has expressed an unwillingness to address staff concerns, and requests that the Planning Commission consider the current version of the submitted preliminary plat.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission deny the Preliminary Plat for Auburn Hills (PP-06-02), a single family residential development located on the northwest corner of the 167th Street and Gardner Road intersection.

Director Sherman stated that the applicant had requested the item to be tabled for one month.

Motion Mertz, second Schultz, to table the Preliminary Plat for Auburn Hills (PP-06-02) to the December 11, 2006, Planning Commission meeting.

Motion to Table Carried: 6 to 1 Aye (Godwin: Nay)

2. PP-06-03

Consider a Preliminary Plat for Park Place Estates, a 40 acre single family residential development located on the west side of Gardner Road, ½ mile north of 167th Street. The application is filed by Tony Plunkett; with engineering services provided by Allenbrand-Drews & Associates, Inc.

1. **APPLICANT:** The applicant is Tony Plunkett; with engineering services provided by Allenbrand-Drews & Associates, Inc.
2. **REQUESTED ACTION:** The applicant requests preliminary plat approval for a 137 lot single family residential development on 40 acres.
3. **LOCATION:** The subject property is located on the west side of Gardner Road, ½ mile north of 167th Street.
4. **EXISTING ZONING:** The property is currently zoned A, Agricultural, assigned upon annexation (Ord. 2211) Rezoning application Z-06-12, for R-1, Single Family Residential District, zoning is pending approval by the City Council.
5. **ANALYSIS OF THE APPLICATION:** The applicant requests preliminary plat approval for Park Place Estates, a 137 lot and one tract for a drainage basin, for a single family residential development.
Staff has attempted to work with the applicant to coordinate and address specific design issues as this property relates to the proposed preliminary plat for Auburn Hills on the 160 acres to the south of this subject property. Unfortunately, the applicant has indicated that they are not willing to make what staff believes are necessary design changes to this submitted plat to comply with adopted plans and policies.

Planned Collector Street

The primary design issue and dispute between staff and the applicant is need and location of an east-west collector street off Gardner Road through this property. The adopted Community Development Plan includes following language:

Street Network

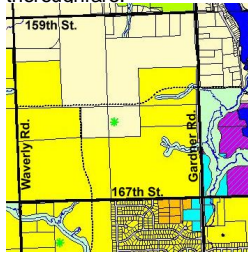
Kansas Planning and Zoning Statutes authorize the city to establish an official map designating major streets (K.S.A. 12-756). The Major Street Map serves several purposes.

§ *It designates streets by their "functional classification", a description of the purpose each type of street is supposed to serve.*

§ *By adopting the Major Street Map, the city is granted authority to establish rights-of-way and setback requirements for each type of street thereby allowing the establishment of criteria for Subdivision Regulations for dedication of right-of-ways as a requirement of development.*

The street future network system is shown on the Future Land Use and Development Plan maps. These maps project collector and thoroughfare systems. Spacing of thoroughfares at one-mile intervals with collectors located generally at each half-mile junction is in accordance with city policy. Interruptions occur, however, where freeways or major public uses appear.

The adopted Community Development Map shows an east-west collector thoroughfare, aligned with the existing 162nd Terrace off Gardner Road (see below). The submitted preliminary plat does not include this planned collector thoroughfare.



Other Issues

City staff has verbally expressed to the applicant's engineers concerns about the engineering design of the proposed sanitary sewer system and the proposed lift station(s) on this subject property. The need for additional detailed analysis regarding storm water detention requirements per the city's recent adoption of American Public Works (APWA) 5600 Stormwater detention standards has also been stated.

6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission deny the submitted Preliminary Plat for Park Place (PP-06-03), a single family residential development located on the west side of Gardner Road, ½ mile north of 167th Street.

Director Sherman stated that the applicant had requested the item to be tabled for one month.

Motion Mertz, second Schultz, to table the Preliminary Plat for Park Place Estates (PP-06-03) to the December 11, 2006, Planning Commission meeting.

Motion to Table Carried: 6 to 1 Aye (Godwin: Nay)

V. Discussion Item

1. Preliminary Plat Concerns and Issues Northwest of 167th Street and Gardner Road Intersection

Director Sherman and Planner Pollom gave a presentation of future platting and roadway issues and concerns for the properties northeast of the 167th Street and Gardner Road intersection. Director Sherman and the commissioners discussed potential street layouts and configurations for potential subdivisions in that area of the City.

2. Commercial Development Standards

Discuss development issues and criteria for commercial developments.

Director Sherman led a discussion regarding multiple development criteria, such as absorption rates, traffic counts, services patterns, and service markets that the commissioners would need to consider to determine future commercial

development locations and standards. The commissioners discussed working on revising and defining the commercial development standards.

VI. Adjourn

Motion Schultz, second Popp, to adjourn the meeting at 9:04 p.m.

Motion to Adjourn Carried: 7 to 0 Aye

Cindy Weeks, Planning Service Specialist

ATTENDEES
of the
11-13, 2006
PLANNING COMMISSION MEETING

PLEASE SIGN

PLEASE PRINT

NAME	COMPANY (if applicable)	ADDRESS
Jack Roman	—	995 S. Elm
SUZY Rhodes		
DAVE Rhodes		
MIKIE Norman		1938 DWAVERLY RD.